

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Tuesday, June 28, 2005

10:30 a.m.

Room 326 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative William Van Regenmorter**, Chair.

MEMBERS PRESENT: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith.

MEMBERS ABSENT/EXCUSED: Representatives Elsenheimer, McConico and Bieda.

Representative Rocca moved to adopt the minutes of the **June 22, 2005** meeting. The motion was supported by **Representative Jones**. There being no objection, the motion prevailed by unanimous consent.

Chairman Van Regenmorter laid **HB 4958** before the committee:

HB 4958 Caul	Criminal procedure; sentencing guidelines; crime of child care center or day care center employee failing to self-report certain criminal charges; enact.
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Representative Nofs moved to adopt the following amendment to **HB 4958**. The motion was supported by **Representative Jones**.

1. Amend page 2, following line 3, by inserting:
“Enacting section 1. This amendatory act takes effect October 15, 2005.” and renumbering the remaining enacting section.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,

Nays: None,

Pass: None.

Representative Nofs moved to report **HB 4958** with recommendation, as substitute (**H-1**). The motion was supported by **Representative Rocca**.

The motion prevailed by a vote of **12-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith,

Nays: None,

Pass: None.

Chairman Van Regenmorter laid **SB 130** before the committee:

SB 130	Sanborn	Recreation; athletics and sports; disclosure of certain convictions; require of persons coaching independent youth athletic teams.
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Representative Rocca moved to adopt the substitute **(H-2)** to **SB 130**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Representative Rocca moved to report **SB 130** with recommendation, as substitute **(H-2)**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Chairman Van Regenmorter laid **HB 4957** before the committee:

HB 4957	Taub	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of accepting employment or volunteer status with certain entities in which children are present; enact.
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Representative Condino moved to adopt the following amendment to **HB 4957**. The motion was supported by **Representative Schuitmaker**.

1. Amend page 3, following line 6, by inserting:
“Enacting section 1. This amendatory act takes effect October 15, 2005.” and renumbering the remaining enacting section.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Representative Schuitmaker moved to report **HB 4957** with recommendation, as substitute **(H-1)**. The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Chairman Van Regenmorter laid **HB 4937** before the committee:

HB 4937 David Law Criminal procedure; evidence; use of certain evidence to prove the character of the defendant; allow.

Representative David Law moved to adopt the substitute **(H-1)** to **HB 4937**. The motion was supported by **Representative Rocca**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Representative Jones moved to report **HB 4937** with recommendation, as substitute **(H-1)**. The motion was supported by **Representative Schuitmaker**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Chairman Van Regenmorter laid **HB 4934** before the committee:

HB 4934 Ball Criminal procedure; sex offender registration; penalties for failing to report certain sex offender registration information to police agency; revise, and require report upon vacating residence.

Representative Jones moved to adopt the following amendment to **HB 4934**. The motion was supported by **Representative Schuitmaker**.

1. Amend page 6, following line 12, by inserting:
“Enacting section 1. This amendatory act takes effect October 15, 2005.”.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,
Nays: None,
Pass: None.

Representative Nofs moved to report **HB 4934** with recommendation, as substitute (**H-1**). The motion was supported by **Representative Jones**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,
Nays: None,
Pass: None.

Chairman Van Regenmorter laid **HB 4935** before the committee:

HB 4935 Rocca Criminal procedure; sentencing guidelines; sentencing guidelines for crime of failing to report sex offender registration information to police agency; revise to reflect increased penalties.

Representative David Law moved to adopt the following amendments to **HB 4935**. The motion was supported by **Representative Newell**.

1. Amend page 3, line 13, after “**INFORMATION –**” by striking out “**SECOND**” and inserting “**THIRD OR SUBSEQUENT**”.
2. Amend page 3, following line 13, by inserting:
“Enacting section 1. This amendatory act takes effect October 15, 2005.” and renumbering the remaining enacting section.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Representative Rocca moved to report **HB 4935** with recommendation, as substitute (**H-1**). The motion was supported by **Representative Condino**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Chairman Van Regenmorter laid **HB 4936** before the committee:

HB 4936	Baxter	Children; child care; criminal background checks for licensees, employees, and certain contract workers at child care centers and day care centers; require.
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Representative Rocca moved to adopt the substitute (**H-2**) to **HB 4936**. The motion was supported by **Representative Stakoe**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Representative Rocca moved to report **HB 4936** with recommendation, as substitute (**H-2**). The motion was supported by **Representative Newell**.

The motion prevailed by a vote of **11-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Jones, David Law, Rocca, Lipsey, Condino and Adamini,

Nays: None,

Pass: None.

Representative Condino moved to excuse **Representative Elsenheimer** from committee due to a death in his family. The motion was supported by **Representative Rocca**. There being no objection, the motion prevailed by unanimous consent.

Representative Condino moved to excuse absent members from committee. The motion was supported by **Representative Rocca**. There being no objection, the motion prevailed by unanimous consent.

There being no further business to come before the committee, the Chair adjourned the meeting at 11:12 a.m.

Representative William Van Regenmorter, Chair
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
42 minutes